

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 AF-08 ARA-06 EA-07 NEA-10 OIC-02

CCO-00 CIAE-00 OTPE-00 FCC-01 INR-07 NSAE-00 OC-06

USIA-06 COME-00 BIB-01 DODE-00 DOTE-00 FMC-01 SAL-01

CG-00 DLOS-06 OES-06 IO-13 L-03 PM-04 /108 W

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R 281800Z JUL 76

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 4049

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E.O. 11652: N/A

TAGS: ETEL, IMCO

SUBJECT: INMARSAT

REF: (A) LONDON 10334; (B) STATE 179484;

(C) STATE 175897

1. US REPRESENTATIVES MET JULY 26-27 WITH REPRESENTATIVES OF MAJOR PARTICIPANTS IN INMARSAT CONFERENCE TO DISCUSS ISSUES BEFORE CONFERENCE'S 3RD SESSION. CONSULTATIONS, CONVENED BY PRESIDENT OF CONFERENCE, WERE ALSO ATTENDED BY UK, USSR, FRG, FRANCE, NORWAY, AUSTRALIA, NETHERLANDS, JAPAN, INDIA AND LIBERIA.

2. WITH RESPECT TO ESTABLISHING AN UPPER LIMIT ON THE MAXIMUM VOTE ANY ONE SIGNATORY CAN VOTE IN THE COUNCIL--ARTICLE 14(3), PARTICIPANTS AGREED ON PROPOSITION DEVELOPED AT CONSULTATIONS REPORTED REFTEL (A) WITH MINOR EDITORIAL AMENDMENTS TO TEXT DRAFTED AT THAT TIME.

3. FRG, WITH FRENCH AND NORWEIGN SUPPORT, PROPOSED CHANGE TO ARTICLE 14(2) ALONG LINES NOTE VERBALE REPORTED REFTEL

(C), CLAIMING CHANGE WAS CONSEQUENTIAL TO ACCEPTANCE OF LIMITED OFFICIAL USE

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14(3) TEXT, AND INTENDED TO PRECLUDE A VERY FEW SIGNA-

TORIES WHOSE COMBINED VOTE CONSTITUTED A BLOCKING THIRD FROM FRUSTRATING THE WILL OF THE LARGER NUMBER OF MEMBERS. US, USSR, UK AND JAPAN OPPOSED CHANGE, NOTING IT WAS NOT CONSEQUENTIAL AND, IN FACT, AMOUNTED TO REOPENING AN ISSUE THAT HAD BEEN SETTLED. PRIVATELY, BOTH FRG AND FRENCH REPS INDICATED THEY THOUGHT IT UNLIKELY THEY WOULD ADVANCE THIS PROPOSAL AT THE CONFERENCE.

4. FOLLOWING TEXT WAS AGREED WITH RESPECT TO ARTICLE 32(5)--RESERVATIONS: BEGIN QUOTE: TAKING INTO ACCOUNT THE PURPOSE OF THE ORGANIZATION AS SET FORTH IN ARTICLE 3, RESERVATIONS TO THIS CONVENTION OR THE OPERATING AGREEMENT CANNOT BE MADE. END QUOTE.

5. FRENCH DELEGATE POINTED OUT HE THOUGHT IT POSSIBLE HE WOULD BE INSTRUCTED TO PROPOSE AMENDMENTS TO ARTICLE 26--PRIVILEGES AND IMMUNITIES AT 3RD SESSION, AND SHOULD SUCH AMENDMENTS FAIL, HE WOULD THEN PROPOSE THAT RESERVATIONS MIGHT BE MADE BUT LIMITED SPECIFICALLY TO ARTICLE 26. AGAIN, HOWEVER, HE PRIVATELY TOLD US REPS THAT HE WOULD URGE GOF NOT TO PRESS ITS POINTS AS THEY WOULD BE UNLIKELY TO WIN SUFFICIENT SUPPORT AT 3RD SESSION.

6. US AGREED TO ABOVE TEXT ON EXPLICIT ASSUMPTION THAT OUR PROBLEM WITH TEXT ON CUSTOMS EXEMPTION WOULD BE CORRECTED. JAPANESE SAID IT HAD BEEN THEIR INTENTION TO INTRODUCE INTELSAT TEXT. ALTHOUGH NETHERLANDS AND NORWAY SAID NO ERROR HAD IN FACT BEEN MADE, THEY INDICATED THEY WOULD NOT OPPOSE US EFFORTS AT 3RD SESSION TO CORRECT TEXT. IT IS OUR BELIEF THAT A PROPOSAL TO AMEND THE FIRST LINE OF ARTICLE 26 TO SUBSTITUTE BEGIN QUOTE: ON COMMUNICATIONS SATELLITES AND COMPONENTS AND PARTS FOR SUCH SATELLITES TO BE LAUNCHED FOR USE IN THE INMARSAT SPACE SEGMENT END QUOTE, FOR BEGIN QUOTE: THE INMARSAT SPACE SEGMENT, INCLUDING COMPONENTS AND PARTS ASSOCIATED THEREWITH END QUOTE, WILL BE ACCEPTED.

7. MOST OF THE PARTICIPANTS BELIEVED THERE SHOULD BE NO ARTICLE ON LANGUAGES IN THE CONVENTION AS IT APPEARED TO BE NORMAL PRACTICE TO LEAVE THIS MATTER TO THE ORGANS OF LIMITED OFFICIAL USE

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THE ORGANIZATION TO DECIDE FOR THEMSELVES. IN TAKING THIS POSITION, THERE WAS CONSIDERABLE REFERENCE TO THE AGREEMENT REPORTED REFTEL (A) TO SUPPORT ENGLISH, FRENCH, RUSSIAN AND SPANISH AS BOTH OFFICIAL AND WORKING LANGUAGES. FRENCH REP CITED INTELSAT HANDLING OF LANGUAGES AND RESERVED HIS POSITION. HOWEVER, HE PRIVATELY ADMITTED TO US REP THAT AGREEMENT TO HAVE NO TEXT ON LANGUAGES WAS IN HIS PERSONAL JUDGMENT BEST MEANS FOR BLOCKING PROLIFERA-

TION OF LANGUAGES. PROPONENTS OF ANY TEXT ON LANGUAGES
WILL HAVE TO SECURE SUPPORT OF TWO-THIRDS OF THOSE
REPRESENTATIVES PRESENT AND VOTING, AND HISTORY OF VOTING
ON THIS ISSUE AT 2ND SESSION SUGGESTS THIS WILL BE VERY
DIFFICULT.

8. IMCO SECRETARIAT INFORMED REPS THAT IT MAY BE POSSIBLE
TO HAVE COMPLETE TEXTS IN FOUR LANGUAGES READY FOR SIGNA-

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R 281800Z JUL 76
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TURE AT CLOSE OF 3RD SESSION. US REP WOULD APPRECIATE
CONFIRMATION THAT US SIGNATURE OF FINAL ACTS, WHICH WE
UNDERSTAND TO BE ONLY A RECORD OF THE CONFERENCE'S PRO-
CEEDINGS AND WHICH WOULD INCLUDE AS ANNEXES THE TEXTS
OF EACH AGREEMENT, WOULD NOT IMPLY ANY ACCEPTANCE OF THE
AUTHENTICITY OF THE TEXTS, AND THAT ACCEPTANCE WOULD ONLY
OCCUR AT THE TIME OF SIGNATURE OF THE AGREEMENTS THEM-
SELVES. IT IS OUR UNDERSTANDING THAT SIGNATURE OF THE
FINAL ACTS BY US REP REQUIRES ONLY THAT HE BE ACCREDITED
MEMBER OF USDEL TO CONFERENCE, AND THAT FULL POWER
IS NOT, THEREFORE, REQUIRED.

9. IMCO SECRETARIAT AMPLIFIED CLOSING PARAGRAPH OF INVITATION TO ATTEND 3RD SESSION WHEREIN ATTENTION WAS DRAWN TO SEVERE SPACE LIMITATION AT IMCO HEAD-QUARTERS FOR 3RD SESSION. WE BELIEVE IN VIEW OF ADVANCED STATE OF NEGOTIATIONS, AND PARTICULARLY AS REMAINING ISSUES FALL SUBSTANTIALLY WITHIN DEPARTMENT'S PURVIEW AND HAVE GIVEN RISE TO LITTLE DISPUTE AMONG OTHER AFFECTED PARTIES, THAT USDEL SHOULD BE LIMITED TO ONE PERSON FROM DEPARTMENT IN ADDITION TO US REP. INDUSTRY LIMITED OFFICIAL USE

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ADVICE IS NOT REQUIRED, BUT SHOULD IT BE EXPEDIENT TO INCLUDE INDUSTRY ADVISER, WE COULD ENVISION ONE ADVISER.

10. US REPS WERE QUESTIONED SOMEWHAT ON MARISAT CONSORTIUM PLANS FOR COMMERCIAL SERVICE IN INDIAN OCEAN REPORTED IN REFTEL (B). WE EXPLAINED TO UK, FRENCH, NETHERLANDS AND GERMAN REPS THAT CONSORTIUM PLANS HAD NOT YET RECEIVED GOVERNMENT APPROVAL. THERE WAS NO INTEREST IN ENGAGING US REPS IN DISCUSSION OF IMPACT OF CONSORTIUM PLANS ON INMARSAT OR MAROTS PLANS.

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